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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/831,579
Applicant : Rhodes et al.
Filed : July 2, 2002
TC/A.U. : 1724
Examiner : Robert Hopkins

Docket No. : 1037BP-1
Customer No. : 22442

Confirmation No. 7038

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE UNITED STATES POSTAL
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ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX
1450, ALEXANDRIA VA 22313-1450 ON JUNE 25, 2004.

SHERIDAN ROSS P.C.
BY: Constance D. Scott

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir,

This Response is filed in reply to the Office Action mailed 29 March 2004. On April 1, 2004. Applicants' representative received an Office Action for the above-identified U.S. Patent application. Previously however, Applicants had filed a REQUEST FOR STATUTORY INVENTION REGISTRATION, a copy of which is enclosed with this Response. This Request was filed on 29 July 2003, prior to the issue of the Office Action, and was received by the United States Patent Office on 1 August 2003 as indicated on the confirmation post card stamped by the OIPE, a copy of which is enclosed with this Response.

Because a Request for a Statutory Invention Registration was timely filed prior to the issue of the Office Action, Applicants believe that no fees are due with the Request for the Statutory Invention Registration as explained in the original Request and further Applicants believe that the issued Office Action containing rejections under 35 U.S.C. § 102(b) is moot in view of the earlier filed Request.

Based upon the foregoing, Applicants request that the Request for Statutory Invention Registration be acted upon and that no additional fees are due at this time. In the event that a telephone conversation would expedite the issue of the SIR, the Examiner is invited to contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Robert D. Traver

Robert D. Traver
Registration No. 47,999
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: 25 JUNE 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:
RHODES et al.
Serial No.: 09/345,657
Filed: July 2, 2002
Atty. File No.: 1036BP-1
For: BIO-OXIDATION PROCESS
AND APPARATUS
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

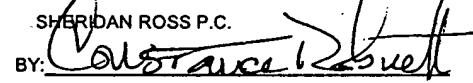
) Group Art Unit: 1724

) REQUEST FOR STATUTORY INVENTION
REGISTRATION

CERTIFICATE OF MAILING

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1450, ALEXANDRIA VA 22313-1450 ON JULY 29, 2003.

BY: SHERIDAN ROSS P.C.



Dear Sir:

Pursuant to Applicants' right to request publication under 37 CFR § 1.293, Applicants hereby request that the specification and drawings of the above-identified patent application be published as a Statutory Invention Registration. With this request Applicants hereby waive Applicants' right to receive a patent on the invention claimed in the above-identified patent application effective upon the date of publication of the Statutory Invention Registration. Furthermore, Applicants hereby state that in Applicants' opinion, the above-identified patent application meets the requirements of 35 U.S.C. § 112 and complies with the formal requirements of 37 CFR § 1.293.

Pursuant to 37 CFR § 1.293, Applicants submit that no fees are due for this request as set forth in 37 CFR § 1.17 (n), as a basic filing fee of \$1000.00 was paid on May 11, 2001 with the Transmittal Letter to the United States Designated/Elected Office and an Examiner has not yet mailed a first Examiner's action pursuant to 37 CFR § 1.104.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Robert D. Traver

Registration No. 47,999

1560 Broadway, Suite 1200

Denver, Colorado 80202-5141

(303) 863-9700

Date: 29 July 2003

Serial/Reg. No.: 09/831,579

Filed/Issued Date: July 2, 2002

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LIST ALL DOCUMENTS BEING SENT TO PATENT OFFICE:
REQUEST FOR STATUTORY INVENTION REGISTRATION



Initial: CVR

PTO Stamp indicates receipt of:

Patent Matter Trademark Matter

Application Docket No.: 1037BP-1

Applicant: RHODES et al.

Title or Mark: "BIOOXIDATION PROCESS AND APPARATUS"

Serial/Reg. No.: 09/831,579

Filed/Issued Date: July 2, 2002

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REQUEST FOR STATUTORY INVENTION REGISTRATION

Date 7/29/03

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